



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Garry Bredefeld, Acting Council President
Chris Mathys,
Henry Perea

Sal Quintero
Daniel Ronquillo
Ken Steitz

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

MONDAY, DECEMBER 11, 2000

5:00 P.M. **CONTINUED HEARING** to consider the Fresno 2000 General Plan (as an Update to the 1984 City of Fresno General Plan) and Draft Environmental Impact Report No. 10123 (as initiated by Council on January 11, 2000); four plan modifications; adoption of concomitant land use and circulation map amendments to the City's existing Bullard, Woodward Park, Hoover, McLane, Roosevelt, Central Area, Fresno High-Roeding, and Edison Community Plans, and to the Fresno Yosemite International Airport and Environs Specific Plan, Master Parks Plan, and the Master Trails Manual; and the West Area Community Plan

Action Taken:

- a.** **RESOLUTION** - Certifying Environmental Impact Report No. 10123, as related to the Fresno 2000 General Plan, approval of four plan modifications, approval of concomitant land use and circulation map amendments to the City's existing Bullard, Woodward Park, Hoover, McLane, Roosevelt, Central Area, Fresno High-Roeding, and Edison Community Plans, and to the Fresno Yosemite International Airport and Environs Specific Plan, Master Parks Plan, and the Master Trails Manual; and adoption of a West Area Community Plan

Action Taken:

- 1.** Finding and Statement - certain measures are required or incorporated into the Project avoiding or substantially lessening significant effects

Action Taken:

- 2.** Finding and Statement - City lacks authority to make certain changes lessening or avoiding significant effect, but another agency has and should exercise authority to adopt such changes

Action Taken:

TIME SCHEDULED HEARING CONTINUED

5:00 P.M. CONTINUED HEARING

3. Finding and Statement - changes to lessen or avoid certain significant effects below a level less than significant are infeasible for economic, social, legal, technological or other considerations
Action Taken:
 4. Findings on Project Alternatives
Action Taken:
 5. Statement of overriding considerations - specific economic, social and other considerations outweigh unavoidable adverse environmental impacts or risks, and support Project approval
Action Taken:
 6. Mitigation Monitoring Program
Action Taken:
- b. RESOLUTION** - Consider Fresno 2000 General Plan and plan modifications, and Corresponding Amendments to the Land Use and Circulation Maps of the Edison, Roosevelt, Central Area, Fresno High/Roeding, McLane, Bullard, Hoover, and Woodward Park Community Plans, the Fresno Yosemite International Airport and Environs Specific Plan, the Master Parks Plan, and the Master Trails Manual
Action Taken:
- c. RESOLUTION** - Adoption of the West Area Community Plan
Action Taken:
- d. BILL** - Amending the Fresno-Yosemite International Airport and Environs Specific Plan, in connection with the adoption of the Fresno 2000 General Plan and Environmental Impact Report 10123
Action Taken:

ADJOURN

TUESDAY, DECEMBER 12, 2000

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. COUNCIL ROLL CALL

Invocation by Reverend Leslie Mark, Bethany Mennonite Brethren Church

Pledge of Allegiance to the Flag

Proclamation of "LEN V. ROSS DAY" - Councilmember Mathys

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of December 5, 2000

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M.

REGULAR CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -
Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. **Case Name:** Claim of Michael Rhodes
 - a. **Case Name:** Claim of Leah Hammond
 - b. **Case Name:** Claim of Heriberto Rosales
 - c. **Case Name:** Claim of Robert Fischer
 - d. **Case Name:** Claim of Arthur Trejo
 - e. **Case Name:** Claim of Jill Smith
 - f. **Case Name:** Claim of Bryan Apper
 - g. **Case Name:** Claim of Meghan Apper, a minor
 - h. **Case Name:** Claim of Lynn Jacobsson
 - i. **Case Name:** Claim of Julius Rasmussen
 - j. **Case Name:** Claim of Lauren Ferber
 - k. **Case Name:** Claim of Aaron Wright
 - l. **Case Name:** Claim of Mark Stout
 - m. **Case Name:** Claim of Justin Ruben
 - n. **Case Name:** Claim of Alexander Roselle
 - o. **Case Name:** Claim of Zach Ordene
 - p. **Case Name:** Claim of Jon Paul Solonen
 - q. **Case Name:** Claim of Joan Poss
 - r. **Case Name:** Claim of Robert Bergstrom
 2. **Case Name:** Patriot Homes v. City of Fresno
 3. **Case Name:** City of Fresno v. U.S. Army Corps of Engineers and the Boeing Company, et al.
 4. **Case Name:** Bakman Water Company, et al. v. City of Fresno, et al.
- Action Taken:**

10:00 A.M.

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8

Property: Palm Lakes Golf Course

Negotiating Parties: Redevelopment Agency of the City of Fresno, City of Fresno, Peter Stravinski

Under Negotiation: Offer to convey interest, if any, arising from a 1984 deed from Stravinski to City of Fresno Equipment Corp. for Palm Lakes Golf Course property

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARING CONTINUED

10:30 A.M. Request by George and Michael Donovan to approve mixed-use office/retail site plan located on the southeast corner of Herndon and Palm Avenues

Action Taken:

11:00 A.M. **HEARING** to adopt Bill amending the Fresno Municipal Code relating to parking of commercial vehicles

Action Taken:

a. * **BILL NO. B-76 - (Intro. 11/28/00)** - Repealing Section 10-1108 and amending Section 10-1109 and of the Fresno Municipal Code relating to parking of commercial vehicles

Action Taken:

11:30 A.M. **HEARING** to consider the use of \$1,224,618 awarded to the City by the U.S. Department of Justice to undertake the Local Law Enforcement Block Grant Program

Action Taken:

a. * **RESOLUTION** - 74th amendment to AAR No. 2000-183 appropriating \$1,360,700 from contingency to various line items in order to expend funds related to the FY 2000 Local Law Enforcement Block Grant (*Requires 5 affirmative votes*)

Action Taken:

5:00 P.M. **HEARING** to consider Plan Amendment No. A-00-02, Conditional Use Permit Application No. C-00-58, and Environmental Assessment No. A-00-02, C-00-58, filed by Granum Partners, for 8.6 acres on the north and west corners of E. Perrin Avenue and E. Champlain Drive (3 acres on the north corner and 5.6 acres on the west corner)

Action Taken:

1. **RESOLUTION** - Adopting the Mitigated Negative Declaration No. A-00-02, C-00-58, dated November 3, 2000

Action Taken:

2. **BILL** - Amending the Dominion Planned Community Specific Plan Project Report

Action Taken:

3. **RESOLUTION** - Approving Conditional Use Permit Application No. C-00-58

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY FOLLOWING COUNCIL ACTION.)

1. Approve selection of Ross and Castillo as Administrator for Workers' Compensation Program

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

2. Approve agreement regarding the Convention Center advertising with Network International
Action Taken:
 - a. * **RESOLUTION** - 4th amendment to AAR No. 2000-183 appropriating \$223,500 to fund agreement and authorize the City Manager to execute the agreement for the City (***Requires 5 affirmative votes***)
Action Taken:
3. Adopt Addendum No. 1 to the City of Fresno Disadvantaged Business Enterprise (DBE) Program for Federal projects regarding projects funded by the Federal Highway Administration (FHWA) (provisions conforming with Caltrans Model DBE Program for local agencies)
Action Taken:
4. Approve Proposed Spending Plan for FY 2000 State of California Supplemental Law Enforcement Services Funds
Action Taken:
 - a. * **RESOLUTION** - 75th amendment to AAR No. 2000-183 appropriating \$908,000 relating to the Supplemental Law Enforcement Services Funds given by the State of California (***Requires 5 affirmative votes***)
Action Taken:
5. * **RESOLUTION** - 77th amendment to AAR No. 2000-183 appropriating \$2,895,200 for expenses related to City of Fresno Community Facilities District No. 5 (Foundry Park Business and Industrial Development) (***Requires 5 affirmative votes***)
Action Taken:
6. Approve a Service Agreement with SONEX Technical Services Company to perform inspection of large diameter wastewater collection system
Action Taken:
7. **RESOLUTION** - Approving the reallocation of funds for a Fresno Street project from “Q” to “S” Streets in support of the Regional Medical Center
Action Taken:
8. Approve Contract Change Order No. 7 with Construction Developers, Inc., for the Pilibos Soccer Park Construction Project
Action Taken:
9. **RESOLUTION** - Declaring the results of the Consolidated General Municipal Election held within the City of Fresno on November 7, 2000
Action Taken:

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1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. * **BILL** - Repealing Article 29 of Chapter 2 and adding Article 29 to Chapter 2 to the Fresno Municipal Code relating to Fresno City-County Community and Convention Center Manager and Management
Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. * **BILL** - (*For introduction*) - Amending Sections 9-407 and 9-408 of the Fresno Municipal Code regarding private solid waste collection - Councilmember Steitz
Action Taken:

B. **ITEM REMOVED FROM AGENDA**

- C. * **RESOLUTION** - 78th amendment to AAR No. 2000-183 appropriating \$1,000 of District 5's general fund infrastructure budget to fund the Convention Center costs for the FMAAA Thanksgiving Luncheon - Councilmember Quintero (*Requires 5 affirmative votes*)
Action Taken:

- D. Authorize agreement relating to search firm for selection of City Manager - Council President Boyajian
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Dec. 18 5:00 P.M.** Continued General Plan Hearing
- Dec. 19 - 9:00 A.M.** Presentation by Assemblyman Mike Briggs
- Dec. 19 - 9:30 A.M.** **WORKSHOP** regarding the City-wide special Christmas tree pick-up service
a. Report on status of multiple solid waste issues, including contract negotiations with BFI in Calwa and alley services - Councilmember Quintero
- Dec. 19 - 10:00 A.M.** **HEARING** re: Annexation No. 25, Community Facilities District No. 2
- Dec. 19 - 10:15 A.M.** **HEARING** re: P.A. No. 00-15, R-00-33, filed by Ralph E. Lovelace
- Dec. 19 - 10:30 A.M.** **HEARING** re: Appeal of Tentative Parcel Map No. 2000-16, filed by Dwayne Zinkin
- Dec. 19 - 11:00 A.M.** Report from staff regarding restoration project at the Amtrak Station to include available options - Councilmember Mathys
a. Appearance by Gary Timan Vigen, Vigen Associates re: Amtrak Station
- Dec. 19 - 11:30 A.M.** Report by macias Consulting Group, Inc. re: the RFP for auditing service - Council President Boyajian
- Dec. 19 - 5:00 P.M.** **HEARING** re: P.A. No. 99-25, R-99-38, filed by Bonadelle Corporation
- Dec. 19 - 5:30 P.M.** **HEARING** re: P.A. No. 00-12, R-00-31, filed by Granville Homes
- Dec. 26 - NO MEETING - CHRISTMAS WEEK**
- Jan. 2 - 3:00 P.M. (Tentative time) SWEARING-IN CEREMONY FOR THE NEW MAYOR AND COUNCILMEMBERS**
- Jan. 9 - 10:00 A.M.** **HEARING** re: CDF No. 2, Annexation No. 26, Tract No. 4918
- Jan. 9 - 10:15 A.M.** **HEARING** re: R-00-043, filed by Theodore Markarian
- Jan. 16 - 10:00 A.M.** **HEARING** re: Rezone Appl. No. R-00-05, filed by Scott Ellis, Jr.
- Jan. 16 - 10:10 A.M.** **HEARING** re: Rezone Appl. No. R-00-41, filed by James T. O'Dea, 255 W. Bullard
- Jan. 23 - 10:00 A.M.** **HEARING** re: P.A. No. A-99-35 updating the Mineral Resource Policies in the General Plan Conservation Element

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